REMARKS

In the Office Action, the Examiner issued a final rejection of Claims 1-18, which are all of the then pending claims, under 35 U.S.C. §102 and under 35 U.S.C. §112. The claims were rejected under 35 U.S.C. §102 as being fully anticipated by U.S. patent application publication no. 2004/0213233 (Hong, et al.). The claims were also rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement and as failing to comply with the written description requirement.

The rejection of the claims under 35 U.S.C. §112 based on the enablement requirement is respectfully traversed. Independent Claims 1, 6 and 11 are being amended to address the rejection under 35 U.S.C. §112 based on the written description requirement. Applicants also ask that Claims 1, 6 and 11 be amended to better define the subject matters of these claims. Claims 2, 7 and 12 are being cancelled because features of these claims are being added to Claims 1, 6 and 11 respectively. Claim 3 is being amended to be dependent from Claim 1 instead of the now cancelled Claim 2, and, similarly, Claim 8 is being cancelled to be dependent from Claim 6 rather than Claim 7. Claim 18 is being amended to simplify the claim.

For the reasons presented below, Claims 1, 3-6, 8-11 and 13-18 satisfy the written description and enablement requirements of 35 U.S.C. §112 and, also, patentably distinguish over the prior art. Accordingly, the Examiner is requested to reconsider and to withdraw the above-identified rejections of Claims 1, 3-6, 8-11 and 13-18 under 35 U.S.C. §§102 and 112, and to allow these claims.

The present invention relates to procedures for providing routers with filters, which are sets of rules that determine how the routers transmit data. As discussed in detail in the instant application, occasionally, after a network has been designed and implemented and is in

use, a filter may be written specifically for the network. These specifically written filters may not be very effective, or may actually have adverse unintended consequences.

The present invention addresses this problem by providing a router with a better, substitute filter for such a specifically written filter. More particularly, in the operation of the preferred embodiment of this invention, a set of a plurality of pre-written standardized filters are provided. Then, when a user or administrator writes a filter specifically for a router in a network, a program is run on a computer to identify one of the pre-written filters as a substitute for the non-standard filter that was specifically written for the router.

More specifically, this is done by matching each of the plurality pre-written filters, one at a time, with the specifically written filter to determine which one of the plurality of pre-written filers most closely matches, according to a defined test, the specifically written filter. That identified pre-written filter is loaded onto the router and used instead of the filter that had been specifically written for the router.

In rejecting the claims under 35 U.S.C. §112 as failing to comply with the written description requirement, the Examiner specifically objected to the limitation in Claims 1, 6 and 11 that "said pre-written filters are written before the specifically written filter is written." In order to eliminate this issue, this limitation is being removed from the Claims 1, 6 and 11.

It is believed that this overcomes the rejection of the independent Claims 1, 6 and 11 and the rejection of the dependent Claims 3-5, 8-10 and 13-18 under 35 U.S.C. §112 based on the written description requirement. The Examiner is, accordingly, respectfully requested to reconsider and to withdraw the rejection of Claims 1, 3-6, 8-11 and 13-18 under 35 U.S.C. §112 as failing to comply with the written description requirement.

With respect to the rejection of the Claims under 35 U.S.C. §112 as failing to comply with the enablement requirement, the Examiner argued that the specification does not adequately disclose a number of features described in the claims. In particular, the Examiner argued that the specification does not adequately describe how a substitute filter is identified, the process of matching the pre-written filter files with the specifically written filter, and the pre-defined test for carrying out this process. The Examiner also argued that the predefined set of criteria in Claims 4, 9, 14 and 17, and the function of searching for identified defined features as recited in Claims 5, 10 and 15 are not supported in the specification.

Applicants respectfully disagree with each of these points.

In regard to the above-identified features of Claims 4, 5, 9, 10, 14, 15 and 17, Applicant previously amended the specification, on page 2, to provide an express support for the specific language used in these claims. In particular, page 2 of the specification was amended to indicate expressly that the "computer program may be run to identify which one of the pre-written filters most closely matches the specifically written filer according to a predefined set of criteria." This portion of the specification was also amended to indicate that "the computer program may be run to identify defined features of the specification written filter, and to search the pre-written filters for the identified defined features. It is noted that in the previous amendment, "specification" was used instead of "specifically," and this opportunity is being taken to correct this matter.

With respect to the issue of enablement, the specification provides more than ample disclosure to enable those of ordinary skill in the art to practice the claimed invention. For instance, the specification, on page 5, line 5-10, explains how a best match is found between the specifically written filter and the pre-written filters. In particular, the specification explains that

any suitable criteria and process may be used to identify which one of the pre-written filters most closely matches the specifically written filter.

It is important to emphasize that what is important is not what criteria or what test is used to make the match, but that a match is made. The exact criteria, test or procedure used to do that is not critical. Any suitable process may be used, and those of ordinary skill in the art would be able to develop a procedure, within the scope of the present invention, to find an appropriate match.

In light of the above-discussion and the amendment, all of Claims 1-18 are supported in and enabled by the specification. The Examiner is thus respectfully asked to reconsider and to withdraw the rejection of Claims 1, 3-6, 8-11 and 13-18 under 35 U.S.C. §112 as not complying with the enablement requirement.

In addition, these Claims 1, 3-6, 8-11 and 13-18 patentably distinguish over the prior art because the prior art does not disclose or suggest the feature of identifying one of the pre-written filters as a substitute for the specifically written filter by matching each of a plurality of pre-written filters, one at a time, with the specifically written filter to determine which one of the plurality of pre-written filters most closely matches, according to a defined test, that specifically written filter.

For example, Hong, et al, which is the only reference relied on by the Examiner for the rejection of the claims, describes a system for determining routing in an asynchronous transfer mode communication network. In this system, various possible transfer routes are identified in a routing table. Figure 9 of Hong, et al. shows a procedure for forming a new routing table, which may be done when the network topology changes. In this procedure, when the network topology changes, a work flow management unit recognizes that a routing

reconstruction is needed, and such a table is then formed. As indicated in the Abstract of Hong, et al, routing entries in the routing table may be aligned by the order of total cost assigned to the entries.

There are a number of important, general differences between the present invention and the disclosure of Hong, et al. One such difference is that Hong, et, el. addresses the problem of what to do when the network topology changes, while the present invention, in contrast, is directed to identifying a pre-written filter as a better substitute for a specifically written filter.

This general difference between the instant invention and Hong, et al. is reflected in a number of more specific differences. For example, Hong, et al. does not match a plurality of pre-written filters, one at a time, to the specifically written filter to determine which one of the plurality of pre-written filters most closely matches, according to a defined test, that specifically written filter. Instead, with Hong, et al. after the network topology changes, new routes are identified and then placed in the main routing table. Hong, et al. does not disclose, nor does it have any need for, the type of comparison made in the present invention.

The above-discussed feature of the present invention is useful for a number of reasons. For example, as explained in the present application, the approach of this invention enables a given filter to be compared and replaced right away with a better filter that may be better suited for the network.

Applicants ask that independent Claims 1, 6 and 11, describe this aspect of the present invention. In particular, each of these claims describes the feature of identifying one of the pre-written filers as a substitute for the specifically written filter by matching each of the plurality of pre-written filters, one at a time, with the specifically written filter to determine

which one of the plurality of pre-written filters most closely matches, according to a defined test, that specifically written filter.

The other references of record have been reviewed, and these other references, whether considered individually or in combination, also do not disclose or suggest this feature of the present invention.

Because of the above-discussed differences between Claims 1, 6 and 11 and because of the advantages associated with those differences, none claims 1, 6 and 11 is anticipated by or is obvious in view of the prior art. Accordingly, Claims 1, 6 and 11 patentably distinguish over the prior art and are allowable. Claims 3-5 and 16-18 are dependent from, and are allowable with, Claim 1. Claims 8-10 are dependent from Claim 6 and are allowable therewith; and, similarly, Claims 13-15 are dependent from, and are allowable with, Claim 11.

It is noted that the independent Claims 1, 6 and 11 are being amended to include the limitations of Claims 2, 7 and 12, respectively, and to describe the process of identifying the substitute filter more expressly. It is thus believed that entry of this Amendment is appropriate and such entry is respectfully requested.

The Examiner is, consequently, asked to reconsider and to withdraw the rejection of Claims 1, 3-6, 8-11 and 13-18 under 35 U.S.C. §102, and to allow these claims.

For the reasons advanced above, the Examiner is requested to enter this Amendment, to reconsider and to withdraw the rejections of Claims 1, 3-6, 8-11 and 13-17 under 35 U.S.C. §§102 and 112, and to allow Claims 1-18. If the Examiner believes that a telephone conference with Applicant's Attorneys would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully Submitted,

John S Sensny

John S. Sensny
Registration No. 28,757
Attorney for Applicant

Scully, Scott, Murphy & Presser, P.C.
400 Garden City Plaza, Suite 300
Garden City, New York 11530
516-742-4343

JSS:jy/dg